

Article - Health Occupations

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§14–205.

(a) In addition to the powers and duties set forth in this title and in Title 15 of this article, the Board shall:

- (1) Enforce this title and Title 15 of this article;
- (2) Adopt regulations to carry out the provisions of this title and Title 15 of this article;
- (3) Establish policies for Board operations;
- (4) Maintain the rules, regulations, and policies of the Board so that the rules, regulations, and policies reflect the current practices of the Board;
- (5) Oversee:
 - (i) The licensing requirements for physicians and the allied health professionals; and
 - (ii) The issuance and renewal of licenses;
- (6) Maintain secure and complete records;
- (7) Review and preliminarily investigate complaints, including acknowledging receipt of complaints and informing complainants of the final disposition of complaints;
- (8) Develop and implement methods to:
 - (i) Assess and improve licensee practices; and
 - (ii) Ensure the ongoing competence of licensees;
- (9) Ensure that an opportunity for a hearing is provided to an individual, in accordance with law, before any action is taken against the individual;
- (10) Adjudicate nondisciplinary matters within the Board's jurisdiction;

(11) Report on all disciplinary actions, license denials, and license surrenders;

(12) Establish appropriate fees that are adequate to fund the effective regulation of physicians and allied health professionals;

(13) Make recommendations that benefit the health, safety, and welfare of the public;

(14) Provide ongoing education and training for Board members to ensure that the Board members can competently discharge their duties;

(15) Direct educational outreach to and communicate with licensees and the public;

(16) Develop and adopt a budget that reflects revenues and supports the costs associated with each allied health profession regulated by the Board;

(17) Develop and approve an annual report and other required reports for submission to the Secretary, the Governor, the General Assembly, and the public;

(18) Approve contracts as needed and within budgetary limits;

(19) Appoint standing and ad hoc committees from among Board members as necessary;

(20) Delegate to the executive director of the Board the authority to discharge Board or disciplinary panel duties, as deemed appropriate and necessary by the Board or disciplinary panel, and hold the executive director accountable to the Board; and

(21) Appoint members of the disciplinary panels.

(b) (1) In addition to the powers set forth elsewhere in this title, the Board may:

(i) Adopt regulations to regulate the performance of acupuncture, but only to the extent authorized by § 14–504 of this title;

(ii) After consulting with the State Board of Pharmacy, adopt rules and regulations regarding the dispensing of prescription drugs by a licensed physician;

(iii) On receipt of a written and signed complaint, including a referral from the Commissioner of Labor and Industry, conduct an unannounced inspection of the office of a physician or acupuncturist, other than an office of a physician or acupuncturist in a hospital, related institution, freestanding medical facility, or a freestanding birthing center, to determine compliance at that office with the Centers for Disease Control and Prevention's guidelines on universal precautions; and

(iv) Contract with others for the purchase of administrative and examination services to carry out the provisions of this title.

(2) The Board or a disciplinary panel may investigate an alleged violation of this title.

(3) Subject to the Administrative Procedure Act and the hearing provisions of § 14-405 of this title, a disciplinary panel may deny a license to an applicant or, if an applicant has failed to renew the applicant's license, refuse to renew or reinstate an applicant's license for:

(i) Any of the reasons that are grounds for action under § 14-404, § 14-5A-17, § 14-5B-14, § 14-5C-17, § 14-5D-14, § 14-5E-16, or § 14-5F-18 of this title, as applicable; or

(ii) Failure to complete a criminal history records check in accordance with § 14-308.1 of this title.

(c) (1) In addition to the duties set forth elsewhere in this title, the Board shall:

(i) Issue, for use in other jurisdictions, a certificate of professional standing to any licensed physician; and

(ii) Keep a list of all license applicants.

(2) (i) The Board shall keep a list of all physicians who are currently licensed.

(ii) The list shall include each physician's designated public address.

(iii) A physician's designated public address may be a post office box only if the physician provides to the Board a nonpublic address, under paragraph (3) of this subsection, that is not a post office box.

(iv) Each list prepared under this paragraph shall be kept as a permanent record of the Board.

(v) The list of currently licensed physicians is a public record.

(3) (i) The Board shall maintain on file a physician's designated nonpublic address, if provided by the physician, to facilitate communication between the physician and the Board.

(ii) The Board shall offer a physician the opportunity to designate a nonpublic address, in addition to the physician's public address, at the time of initial licensure and license renewal.

(iii) A physician shall designate an address where the Board may send the physician mail.

(iv) A physician's designated nonpublic address is not a public record and may not be released by the Board.

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